

REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the Office Action. Applicant is especially grateful for the indication of the Allowability of the subject matter in claims 3-8. Claim 3 has been rewritten in independent form. Therefore, claims 3-8 are allowable. Claim 1 is also amended. Applicant respectfully requests reconsideration of this application.

The priority document

Applicant did submit the certified copy of the priority document to WIPO in compliance with Rule 17.1(A) or (B). Therefore, Applicant believes that all requirements for submitting a certified copy of the priority document have been fulfilled. A copy of the relevant documents from WIPO are submitted with this response.

The objection to the drawings

Applicant submits corrected drawing sheets with this response. Figures 1-3 now include the label "prior art." Figure 3 has been corrected to include the subject matter from Figure 3 of the original priority document. No new matter has been entered. The correction to Figure 3 addresses the issue regarding the reference numbers 54, 58 mentioned on page 2, line 3, of the description. The correction to Figure 3 also addresses the objection to Figures 3 and 4 appearing identical. The reference characters 104a and 104b have been corrected so that Figures 6 and 7 are consistent. Applicant respectfully requests approval of the replacement sheets.

The rejection under 35 U.S.C. §102 can be withdrawn.

Applicant respectfully traverses the rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by the *Ahls, et al.* reference. The drive belt 16 in the *Ahls, et al.* reference is moved

by a power roller 30 so that the drive belt 16 imparts a driving force to the handrail 20 to cause the handrail 20 to move. The friction belt in Applicant's claims, on the other hand, moves in response to movement of an associated handrail. The friction belt of Applicant's claims is, therefore, not the same thing as the drive belt 16 of the *Ahls, et al.* reference. Therefore, there is no *prima facie* case of anticipation and the rejection can be withdrawn.

The rejection under 35 U.S.C. §103 can be withdrawn.

Applicant respectfully traverses the rejection of claim 2 under 35 U.S.C. §103 based upon the proposed combination of the *Ahls, et al.* reference in view of the *Shonnard* reference. There is no *prima facie* case of obviousness. As just pointed out, the drive belt 16 of the *Ahls, et al.* reference is not the same thing as the friction belt of Applicant's claims. Therefore, even if the proposed combination could be made, the result does not establish a *prima facie* case of obviousness.

Further, it cannot be considered obvious to modify the *Ahls, et al.* reference to somehow make it consistent with Applicant's claimed arrangement. If one were to remove the driving function of the drive belt 16 in the *Ahls, et al.* reference, that would render the entire arrangement unsuitable for its intended purpose as there would be no driving force to propel the handrail of that reference as required. Such a modification to a reference cannot be made when attempting to manufacture a *prima facie* case of obviousness. (See, e.g., MPEP 2143.01(V) and (VI).)

Conclusion

Applicant respectfully submits that this case is in condition for allowance. If the Examiner would like to discuss any issues regarding this application, Applicant's representative will be happy to discuss any such issues and be contacted at the telephone number indicated below.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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